

LANKLER SIFFERT & WOHL LLP  
ATTORNEYS AT LAW

500 FIFTH AVENUE  
NEW YORK, N.Y. 10110-3398  
WWW.LSLAW.COM

TELEPHONE (212) 921-8399  
TELEFAX (212) 764-3701

February 3, 2018

**BY ECF:**

Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: United States v. Percoco, et al., S2 16 Cr. 776 (VEC)**

Dear Judge Caproni:

We respectfully submit this letter on behalf of Peter Galbraith Kelly, Jr., following up on our letter to strike testimony elicited during the re-direct of Steve Remillard regarding an attorney whose father was a New York State senator. (Doc. No. 464). Following the submission of our letter, the Government advised that, while it does not concede that the questions posed to Mr. Remillard were improper, it will consent to the relevant testimony being stricken and that, furthermore, it will not seek to offer evidence on this issue in the future.

Accordingly, we respectfully request, with the Government's agreement, that the testimony from 1853:1–1854:4 of the record be stricken.

Respectfully submitted,

LANKLER SIFFERT & WOHL LLP

By: /s/ Daniel M. Gitner

Daniel M. Gitner  
Jun Xiang

CC: All Counsel (Via ECF)